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**In the matter of the Fact Finding between**

**City of Jesup**

**CEO #1038/Sector 2**

**and**

**Chauffeurs, Teamsters and Helpers,  
Local Union No 238**

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**Appearances:**

Jill M Hartley, Attorney at Law

Jim Tuecke, Business Representative of the Union

Linda Youngblut, City Clerk for the Employer

Chauffeurs, Teamsters and Helpers, Local Union No. 238, herein after referred to as the Union, filed a petition with the Iowa Public Employment Relations Board, herein after referred to as the Board, where it alleged that an impasse existed between it and the City of Jesup, herein after referred to as the Employer, in their Collective Bargaining. On April 26, 2004 the parties submitted their offers to each other. The Union's position going to Fact Finding was a 3.5 percent wage increase for the two employees in the bargaining unit. The Employer submitted a proposal that all mileage be paid per the IRS rate, the uniform allowance be raised from \$400 to \$450 and wages be increased 2.5 percent each year for three years. Both the Union and the Employer waived the statutory requirement that the Fact Finder's findings of fact and recommendation for resolution of the dispute be submitted to the Union and Employer not later than fifteen days from the day of his appointment.

The parties had previously reached an agreement on the health insurance. The insurance

agreement provide that each employee have a deductible of \$500 and there would be an 8 percent increase in the premium. The Employer would pay 80 percent and the employees would pay 20 percent of the premium.

The Union argued that if the employee had to pay the \$500 deductible on his medical costs the Employer's offer would only result in a 4 cent per hour increase for the employees. It contended that its proposal of a 3.5 percent increase would only result in only an 18 cent per hour increase if the employees had to pay the full \$500 deductible.

The Employee argued that it had to reduce the number of officers from three to two because it couldn't afford to have three. The state had cut the amount of funding that it provided to the Employer by \$30,000 last year and it had never been replaced. Every department in the city had cut its budgets. The police department budget had been cut between 15 percent and 20 percent. The Employer laid off one officer and will not get a replacement vehicle during this budget year. It also cut overtime and there will be no more overtime. The police officers will get one hour of straight pay for every four hours on-call.

The Union submitted a comparable group consisting of the City of Buffalo, the City of Lansing, the City of Lisbon, the City of Postville, the City of Mount Vernon, the City of Marengo and the City of West Union. The City of Buffalo settled for a 35 cent per hour

increase on July 4<sup>th</sup>. Lansing agreed to a 30 cent per hour increase across the board. Lisbon is still open and has not yet reached an agreement. Postville agreed to an increase of 3.8 percent. Mount Vernon agreed to a 3.4 percent increase for officers which would have been an increase of 44 cents per hour. Marengo agreed to an increase of 3.5 percent for the sergeant and 4.3 percent for the officers. West Union reached an agreement on a 3 percent increase.

### FACT FINDING DECISION

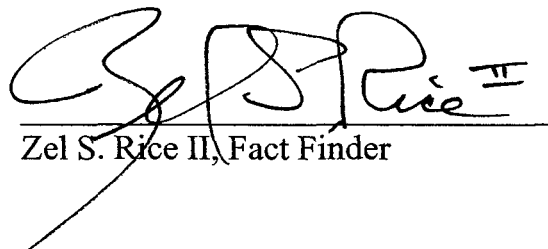
The Fact Finder recommends a 3 percent increase for the next year. The Employer is short on funds and is struggling to meet it's budgetary requirements. However, it did on one occasion offer a 3 percent increase to the employees that was contingent upon the amount of increase in the health insurance premium. The health insurance premium fell within the limitations that the Employer required but it never offered the employees 3 percent again. There seems to be no question that the Employer can afford an increase of 3 percent. It proposed that much based on an assumption that the health insurance premium would not increase beyond a certain level. The increase in the health insurance fell within that limitation but the Employer has not been willing to agree to an increase of 3 percent for one year. The Fact Finder is satisfied that the Employer can afford a 3 percent increase for one year. It would fall within the range of the increases police officers received in the comparable group. There were some that received substantially higher increases in the comparable group but a three percent increase is pretty much in line with the comparable

increases and the Employer's ability to pay. The Fact Finder is satisfied that the amount budgeted for health insurance and wages would include enough to provide a three percent increase to the police officers.

The Fact Finder finds that a three percent increase will fall within the pattern paid to police officers in the comparable group and can be accommodated by the Employer's budget.

He recommends that the Employer pay the police officers a three percent wage increase plus the other provisions previously agreed upon.

Dated at Sparta, Wisconsin this 21<sup>st</sup> day of May, 2004.



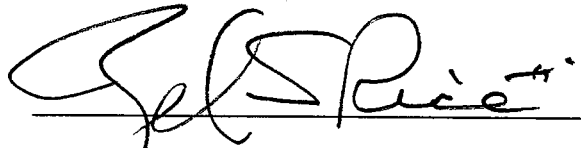
Zel S. Rice II, Fact Finder

CERTIFICATE OF SERVICE

I certify that on the 21st day of May, 20 04, I served the foregoing Report of Fact Finder upon each of the parties to this matter by (\_\_\_\_\_ personally delivering) (X mailing) a copy to them at their respective addresses as shown below:

Jill M Hartley	James Tuecke	Mark Collett	Linda Youngblut
Previant, Goldberg, Uelmen, Gratz	306 Jefferson	601 Young St	601 Young St
Gratz, Miller & Brueggemann SC	Waterloo, IA 50703	Jesup, IA 50648	Jesup, IA 50648
1555 N River Center Dr Ste 202			
Milwaukee, WI 53212			

I further certify that on the 21st day of May, 20 04, I will submit this Report for filing by (\_\_\_\_\_ personally delivering) (X mailing) it to the Iowa Public Employment Relations Board, 514 East Locust, Suite 202, Des Moines, IA 50309.

  
\_\_\_\_\_  
Zel S Rice II Fact-Finder  
(Print name)